

REMARKS

Summary

Claims 45-71 are pending. Claims 45, 52, 56, 58, and 64-68 are amended. Claims 69-71 are added. No new matter is added.

Rejection of Claim 52

Claim 52 is rejected under 35 USC 112, second paragraph, as being indefinite. Claim 52 has been amended herein thus obviating the rejection of the claim. Applicant thus respectfully requests reconsideration and withdrawal of the rejection.

Rejection of Claims 45-68

Claims 45-68 are rejected under 35 USC 102(e) as being unpatentable over US Patent No. 6,609,106 to Robertson (Robertson). Applicant respectfully traverses the rejection based on the claims as currently presented and the remarks below.

Claim 45 provides a method of operation, performed by a device, comprising receiving by the device, from a first server of a first service provider, a request for registration information for a user of the device, the registration information requested including one or more personality characteristics; generating dynamically by the device, or the device causing a second server of a second service provider to dynamically provide or to provide from a database, a personality profile having one or more personality characteristics to portray a desired persona, the one or more personality characteristics being based at least in part on a service provided by the first service provider, the second service provider providing a personality service; and transmitting by the device, or the device causing the second server to transmit, the personality profile to the first server to respond to the request. The cited reference, Robertson, fails to teach or suggest all the features of claim 45.

Robertson provides a gift registry system in which a user may be requested to provide, and a user may provide in response, registration information. However, claim 45 does not just recite a simple registration process. Claim 45 provides for generating dynamically by a device, or the device causing a server to dynamically provide or provide

from a database, a personality profile having one or more personality characteristics. The citation of Robertson for teaching a user filling out a form thus overlooks the recited features of claim 45 as identified above.

Further, the personality characteristics that are provided to the first server are based at least in part on a service provided by the first service provider (the party requesting the registration information). Such a feature is supported in the Specification, for example from page 11, line 13 to page 12, line 8, in which the provided personality characteristics are determined from information about the service(s) offered by the service provider. The recited feature defines the provided personality characteristics in part by the services offered by the service provider. No such teaching is cited in Robertson. Thus, as described above, claim 45 is patentable over Robertson.

Claims 52, 58, and 64 contain language similar to that of claim 45 and thus are patentable over Robertson for at least the reasons discussed above with respect to claim 45.

Claims 46-51, 53-57, 59-63, and 65-68 are dependent, directly or indirectly, on claims 45, 52, 58, and 64 and thus are patentable over Robertson for at least the same reasons discussed above.

In addition, the Office Action indicates that claims 46-48 do not carry any patentable weight. Applicant respectfully disagrees. Claim 46 for example provides that “the method further comprises the device requesting the first service provider for information.” Such a feature further defines the method of claim 45, and is not merely an intended use as suggested in the Office Action. In a similar fashion, claims 47 and 48 provide additional features of the invention that are not addressed in the Office Action.

Claim 48 further recites the creating of a list of personality profiles by the second server and the selection by the device of a profile from the list of profiles. Such a feature is not taught in Robertson as Robertson simply provides a mechanism for a user to register with a website. In Robertson, there is no list of profiles created, and thus there is no selection from that list. Claims 55, 61 and 66 are similarly patentable.

Claim 54 adds a feature of the first server determining the service offered by the second server, a feature that allows for targeting of the profile as discussed above. At no point in Robertson is there a determination of the service offered by the service provider.

The Office Action cites Figures 24 and 29, which are just menus within the defined on-line service that allow a seller to maintain a profile or track marketing statistics. Clearly, the teachings of Robertson differ greatly from the recited features of claim 54.

With respect to claim 64 and the claims dependent therefrom, the Office Action indicates that no patentable weight is given to any of the features characterized by language such as “a plurality of programming instructions designed to enable the apparatus to . . . “. The recited language provides defined elements of the storage medium and the programming instructions and is submitted in an acceptable format as determined in *In re Beauregard*. Thus, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Conclusion

In view of the foregoing, Applicant respectfully submits that claims 45-71 are in condition for allowance and early issuance of a Notice of Allowance is respectfully requested.

If the Examiner has any questions, the Examiner is invited to contact the undersigned at (503) 796-2844. Please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,

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Date: February 13, 2008

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